

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Katie J. Sieben
Hwikwon Ham
Audrey C. Partridge
Joseph K. Sullivan
John A. Tuma

Chair
Commissioner
Commissioner
Commissioner
Commissioner

In the Matter of the Application for a
Certificate of Need for the PowerOn Midwest
765 kV and 345 kV High Voltage
Transmission Line Project

ISSUE DATE: September 29, 2026

DOCKET NO. E-002, ET-2, ET-6675/
CN-25-117

ORDER DENYING
RECONSIDERATION

PROCEDURAL HISTORY

On June 9, the Commission issued an order in this case approving an environmental report scoping decision.

On July 15, 2026, the Commission issued an order in this case granting a request for clarification to the scoping decision and denying a request by North Route Group and NO765kVMN (NRG/NO765MN) to identify specific projects as phased or connected actions.

On August 3, 2026, North Route Group and NO765MN filed a request for reconsideration of the Commission's July 15, 2026, order.

On September 17, 2026, the petition came before the Commission.

FINDINGS AND CONCLUSIONS

The Commission has reviewed the entire record and the arguments of the parties.

Based upon this review, the Commission finds that the petition does not raise new issues, does not point to new and relevant evidence, does not expose errors or ambiguities in the July 15, 2026, order, and does not otherwise persuade the Commission that it should rethink the decisions set forth in that order. The Commission concludes that those decisions are consistent with the facts, the law, and the public interest, and will therefore deny the petition for reconsideration.

The Commission adopted the scoping decision for the reasons stated in the June 9, 2026, staff-proposed scoping decision filed with the June 9 Commission consent calendar subcommittee

decision. In addition, the Commission adopted the clarifying language in Ordering Paragraph 1 of the July 15 order because it determined that it is beneficial to clarify when the Environmental Report may address partial-build or delayed-build alternative routes at a screening level, and when it must screen out alternative routes. This clarification ensures that the scope of the Environmental Report is consistent with Minn. Stat. § 216B.243, subd. 3(6), and will lead to a robust record to aid in the Commission's decision making. This approach keeps the scope broad enough to address issues raised during scoping, while making clear that staff may screen alternatives and impacts based on legal availability, relevance to the certificate of need decision, feasibility, availability, sufficiency of information, and ability to meet the stated need. This is consistent with Minnesota Rules 7849.1400 and 7849.0110.

The Commission denied NRG/NO765MN's request to remove certain allegedly limiting language from the scope because Minn. R. 7849.1400, subp. 6, provides that the Commission may "exclude from analysis any alternative that does not meet the underlying need for or purpose of the project . . ."; Minn. R. 7849.1400, subp. 6, requires an individual proposing an alternative route for study to submit all supporting information they would like the Commission to consider; and the order did not prematurely screen out alternatives, as Minn. R. 7849.0110, requiring the Commission to consider alternatives submitted before the close of the public hearing and for which there exists substantial evidence on the record, is unaffected by this order.

The Commission denied NRG/NO765MN's request to amend the scope to identify specific projects that will be studied as connected actions or phased actions because there is no requirement to follow chapter 4410 rules to study phased and connected actions as a single project in the context of an Environmental Report, the approved Minnesota Environmental Policy Act-compliant alternative form of review for a certificate of need for a transmission line project. Instead, the Commission may consider the combined effects of this proposed project with other planned projects in the area to the extent the Commission finds these effects relevant to the applicable statutory and rule criteria for this project.

ORDER

1. The petition for consideration is hereby denied.
2. This order shall become effective immediately.

BY ORDER OF THE COMMISSION



A handwritten signature in black ink, appearing to read "Sasha Bergman".

Sasha Bergman
Executive Secretary

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